

RESULTS OF INVESTIGATION: Examination of 24 thermometers revealed that 7 thermometers failed to comply with the requirement for accuracy specified in CS1-52 issued by the National Bureau of Standards of the Department of Commerce when tested as described in CS1-52.

LIBELED: 10-13-55, E. Dist. Va.

CHARGE: 501 (c)—the quality of the article, when shipped, fell below that which it purported and was represented to possess; and 502 (a)—the following statements in the labeling accompanying the article, when shipped, were false and misleading since they were contrary to fact: "We, the undersigned manufacturers, hereby certify that this registering clinical thermometer has been tested and found to meet all the requirements and tests specified in Commercial Standard CS1-52, as developed by the trade under the procedure of the Commodity Standards Division, and issued by the United States Department of Commerce."

DISPOSITION: 1-4-56. Default—destruction.

4944. Clinical thermometers. (F. D. C. No. 38415. S. No. 29-817 M.)

QUANTITY: 204 *clinical thermometers* at Newark, N. J.

SHIPPED: 6-28-55, from New York, N. Y., by Emrose Thermometer Co.

LABEL IN PART: (Envelope) "Style Oral Stubby Emrose 'Medik-Aid' A Tested Clinical Thermometer * * * Accurate."

LIBELED: 9-7-55, Dist. N. J.

CHARGE: 501 (c)—the quality of the article, when shipped, fell below that which it purported and was represented to possess; and 502 (a)—the statements in the labeling of the article, namely, "We, the undersigned distributors hereby certify that this registering Clinical Thermometer marked E M has been examined and tested and found to meet all the requirements and tests specified in commercial standard, CS1-52," were false and misleading as applied to the article, which failed to meet the test for accuracy laid down in Commercial Standard CS1-52, issued by the United States Department of Commerce.

DISPOSITION: 10-11-55. Default—destruction.

4945. Clinical thermometers. (F. D. C. No. 38496. S. No. 29-999 M.)

QUANTITY: 189 *clinical thermometers* at Perth Amboy, N. J.

SHIPPED: 7-6-55 and 8-22-55, from Brooklyn, N. Y., by the Cardinal Thermometer Co.

LABEL IN PART: (Box) "Cardinal Fever Thermometer Kind — Stubby."

ACCOMPANYING LABELING: Leaflet entitled "Certificate of Accuracy For Clinical Thermometer."

RESULTS OF INVESTIGATION: Examination of 24 thermometers revealed that 4 thermometers failed to comply with the requirement for accuracy specified in CS1-52 issued by the National Bureau of Standards of the Department of Commerce when tested as described in CS1-52.

LIBELED: 10-13-55, Dist. N. J.

CHARGE: 501 (c)—the quality of the article, when shipped, fell below that which it purported and was represented to possess; and 502 (a)—the following statements in the labeling accompanying the article, when shipped, were false and misleading since they were contrary to fact: "We, the undersigned